

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Proposal Title : **East Wadalba Land Release (Precincts 2A, 2B and 3B)**

Proposal Summary : **The proposal seeks to rezone 241 hectares of land, identified as East Wadalba Land Release and including Precincts 2A, 2B and 3B of the North Wyong Shire Structure Plan, for residential, conservation, recreation and infrastructure purposes. Subject to further investigation there may also be potential for a business zone if a village centre is developed at East Wadalba.**

PP Number : **PP_2013_WYONG_013_00**

Dop File No :

13/18094

Proposal Details

Date Planning Proposal Received : **21-Nov-2013**

LGA covered :

Wyong

Region : **Hunter**

RPA :

Wyong Shire Council

State Electorate : **WYONG**

Section of the Act :

55 - Planning Proposal

LEP Type : **Precinct**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **Various lots identified as North Wyong Shire Structure Plan Precincts 2A, 2B and 3B**

DoP Planning Officer Contact Details

Contact Name : **Glenn Horal**

Contact Number : **0243485009**

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RPA Contact Details

Contact Name : **Scott Duncan**

Contact Number : **0243505547**

Contact Email : **scott.duncan@wyong.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A**

Release Area Name :

N/A

Regional / Sub Regional Strategy : **Central Coast Regional Strategy**

Consistent with Strategy :

Yes

East Wadalba Land Release (Precincts 2A, 2B and 3B)

MDP Number :

Date of Release :

Area of Release (Ha) : **241.00**

Type of Release (eg Residential / Employment land) : **Residential**

No. of Lots : **2,050**

No. of Dwellings (where relevant) : **0**

Gross Floor Area : **0**

No of Jobs Created : **0**

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :

POTENTIAL HOME SITES PROGRAM

The site is one of seven 'immediate action sites' identified under the Government's Potential Home Sites Program. The site is identified as precincts 2A, 2B and 3B in the North Wyong Shire Structure Plan for release in the medium term (land expected to be zoned in the next 15 years). Excerpts from the department's web site on the program are attached.

SEPARATE PLANNING PROPOSAL FOR 145 JOHNS ROAD

A landowner within the East Wadalba precinct was progressing a separate planning proposal with the Council and had understood it would proceed as a stand-alone proposal. In resolving to commence the East Wadalba planning proposal Council also resolved to include 145 Johns Road within the broader precinct planning proposal.

The owners of 145 Johns Road consider their proposal is further advanced than the broader proposal and should proceed on its own. They are concerned that negotiations on funding agreements among the 80 owners in the broader precinct, and the necessary studies to follow, could delay the rezoning of 145 Johns Road.

This report considers the planning proposal submitted by the Council which deals with the whole precinct, and recommends it proceed in its current form. However, it is recommended Council monitor progress and consider the potential for a revised Gateway determination to split the area into two planning proposals, should the planning proposal for the entire precinct encounter delays.

External Supporting Notes :

The proposal was lodged on 30 October 2013. Additional information regarding Agency consultation was received from Council on 21 November 2013.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

Council's stated objective is to:

- enable low to medium density residential development except for floodprone and other lands required for conservation, recreation and infrastructure purposes;
- refine planning provisions and establish guidelines for future urban development within Precincts 2A, 2B and 3B identified in the North Wyong Shire Structure Plan;

- ensure the infrastructure and servicing arrangements are in place to ensure the land is serviced at no cost to government.

Council should consider including the investigation of a potential new centre at East Wadalba as part of the statement of objectives as Council has identified this option in the explanation of provisions.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The planning proposal is to be achieved through an amendment to draft Wyong LEP 2013 by;

- rezoning the land R1 General Residential (Council has incorrectly listed the zone as R2 Low Density Residential in this section of the planning proposal), E2 Environmental Conservation, B2 Local Centre (possible) and possible recreation zones (yet to be defined).
- minimum lot size controls;
- land application, land acquisition and urban release area maps;
- removal of lot amalgamation provisions within future development zones; and
- provisions which address servicing and infrastructure.

The planning proposal includes a proposed lot size map which identifies a minimum lot size of 40 hectares for E2 lands. The map also includes an annotation which refers to site specific DCP provisions for the remainder of the site zoned R1. Council has stated it intends to investigate opportunities for different lot sizes however these could still be identified on the lot size map and does not need to include a uniform lot size for a particular zone. Council should consider the inclusion of minimum lot sizes for the R1 zone in the amending instrument rather than a DCP.

Council should correct an error in this section which states the principle provisions will include - Land Zoning Map by rezoning the land "from" when the change in zoning will be achieved by rezoning the land "to" the new zones.

Council should correct the errors in this section and update the planning proposal accordingly.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 2.3 Heritage Conservation
- 2.4 Recreation Vehicle Areas
- 3.1 Residential Zones
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 3.5 Development Near Licensed Aerodromes
- 4.1 Acid Sulfate Soils
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 14—Coastal Wetlands
SEPP No 44—Koala Habitat Protection
SEPP No 55—Remediation of Land
SEPP No 71—Coastal Protection**

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain : **An assessment against the SEPPs and S117 Directions is provided later in the report.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The maps provided will require updated zone and development standard controls once further studies and investigation of boundaries are identified and should be updated prior to community consultation.

The proposed zoning map (Attachment 1(d)) contains a portion of unzoned land within the site boundary adjacent to the small E2 corridor in the northern part of the site. Council should clarify the proposed zone prior to exhibition.

Council has advised it proposes to remove lot amalgamation provisions in future development zones and should include a lot amalgamation map in the planning proposal under the draft Wyong LEP 2013 to ensure the community is aware of the proposed removal of the provisions by the planning proposal amendment.

Council has identified land application, land acquisition and Urban Release Area maps will also be included in the planning proposal amendment.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council has identified the planning proposal will be exhibited for a period of 28 days. This is supported.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons :

PROJECT TIMELINE

Council's timeline anticipates the planning proposal will be submitted to the Department for finalisation in February 2015 (approx 15 months). It is recommended that an 18 month timeframe should be sufficient time to complete the plan and this does not prevent Council from finalising a plan in a shorter timeframe.

DELEGATION AUTHORISATION

Council has accepted plan-making delegations for planning proposals generally but has not requested delegation for this planning proposal. The types of proposed instruments routinely delegated to Council include spot rezonings and although this is a Precinct rezoning it is consistent with the Central Coast Regional Strategy and Council's Settlement Strategy which was conditionally endorsed by the Director General.

The Gateway should consider delegating the plan making functions to Council to make the plan.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2013**

Comments in
relation to Principal
LEP :

The site is currently zoned under Wyong LEP 1991 and is principally zoned for investigation purposes which accounts for the majority of the site. The remainder of the site zones are on the periphery and consist of environmental, conservation, open space, recreation, and constrained land zones.

The principal zone is:

- 10(a)(Investigation Precinct Zone)

The peripheral zones are:

- 1(c)(Non Urban Constrained Lands) Zone;
- 6(b)(Regional Open Space and Recreation Zone);
- 7(a)(Conservation Zone);
- 7(c)(Scenic Protection: Small Holdings Zone); and
- 7(g)(Wetlands Management Zone)

The draft Wyong LEP 2013 is expected to be finalised by the end of 2013 and the zones under Wyong LEP 1991 will be converted to standard instrument zones with the majority of the site included in the:

- RU6 Transition zone

The peripheral zones will include:

- R2 Low Density Residential;
- E2 Environmental Conservation;
- E3 Environmental Management; and
- E4 Environmental Living

The planning proposal will amend the zones under the draft Wyong LEP 2013 to principally:

- R1 General Residential; and
- E2 Environmental Conservation

Further zones may be included after studies and investigations are complete and may include a business zone (if a new village centre is proposed) and other potential zones required for conservation, recreation and infrastructure purposes.

Assessment Criteria

Need for planning
proposal :

Council has identified the planning proposal is a result of a variety of strategic studies and reports as follows:

- Potential Home Sites Program;
- Central Coast Regional Strategy;
- North Wyong Shire Structure Plan;
- Wyong Residential Development Strategy; and
- Wyong's Settlement Strategy

The site has been identified in all of these programs, plans and strategies for future residential development and the planning proposal was initiated as part of the landowner nominated potential home sites program to accelerate release areas for housing based on the principal of "no cost to government".

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Council has stated the planning proposal would achieve the objectives of progressing the site for future growth in the short term however seeks agreement on infrastructure and servicing arrangements prior to public exhibition of the planning proposal.

Consideration of the CCRS and the NWSSP is provided later in the report.

Wyong Residential Development Strategy (RDS) - Part of the subject land was identified in the RDS and formed part of Precincts 8b and 8c as potential future urban release areas. The RDS has been superseded by Wyong's Settlement Strategy.

Settlement Strategy - This strategy was conditionally endorsed by the Director General on 17 September 2013. The Settlement Strategy identified the site as a medium term future development precinct to be developed within the next 15 years consistent with the staging envisaged in the North Wyong Shire Structure Plan for Precincts 2A, 2B and 3B. The proposal as submitted requires demonstration that infrastructure and servicing can be achieved at no cost to government.

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Consistency with strategic planning framework :

CENTRAL COAST REGIONAL STRATEGY (CCRS) & NORTH WYONG SHIRE STRUCTURE PLAN (NWSSP)

The housing capacity targets in the CCRS identified greenfield development would provide 40% (16,000) of the additional new dwellings on the Central Coast. The greenfield release areas include those already identified under the Metropolitan Development Program and suitable land within the North Wyong Shire Structure Plan Area. The East Wadalba proposal includes areas identified as Precincts 2A, 2B and 3B in the NWSSP.

The NWSSP categorises the land as a medium term release area meaning 'Land that is expected to be zoned in the next 15 years'. Other land adjacent to the Warnervale Town Centre is also categorised this way.

Council has assessed the proposal against actions and the sustainability criteria for new release areas in the CCRS and found it to be generally consistent although further assessment could occur following future studies. Generally the proposal is consistent with the broad goals and actions of the CCRS and will assist in meeting regional dwelling targets.

The NWSSP identified land could be accelerated for release if satisfactory arrangements are in place to forward fund infrastructure. The funding mechanisms for this proposal are yet to be negotiated however Council states funding will be based on the principal of 'no cost to government' and requires agreement to be reached on infrastructure funding arrangements in order for the planning proposal to proceed.

REGIONAL ECONOMIC DEVELOPMENT AND EMPLOYMENT STRATEGY (REDES) 2010
Council advised the proposal will not directly supply long term employment opportunities however short term opportunities would be created through associated planning and construction work.

LOCAL STRATEGIES

Wyong Shire Community Strategic Plan - Council has assessed the planning proposal against 8 priority objectives in this plan and has found it to be generally in accordance with its Community Strategic Plan.

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

SEPP No 14—Coastal Wetlands

Council has advised the proposal does not contain any identified SEPP 14 Wetlands however it is located in close proximity to wetlands directly south of the site and the impacts of upstream development would need to be managed.

The SEPP 14 Coastal Wetlands Map in the planning proposal (figure 3) does not show the full extent of the study area on the western boundary. The proposed zoning map and all other maps show this land is included in the study area and as such it will impact identified SEPP 14 wetlands. Council should reconsider whether this portion of land is meant to be included in the study area and update the consideration of the SEPP accordingly. Any future development which involves clearing, constructing a levee, draining or filling the land will be designated development and require an EIS and the concurrence of the Director General.

SEPP No 44—Koala Habitat Protection

Council has advised a Potential Koala Habitat Assessment will be undertaken as part of future ecological assessment work which will address SEPP 44 matters. The proposal's consistency with the SEPP would need to be considered following the completion of these studies.

SEPP No 55—Remediation of Land

Council has stated a Phase 1 Contaminated Land Assessment will be undertaken following a positive Gateway Determination. The site still requires formal assessment and consideration of the clause 6 matters. The proposal's consistency with the SEPP would need to be considered following the completion of these studies.

SEPP 71 - Coastal Protection

Council has advised the rezoning is consistent with the SEPP and has considered matters under clause 8. The assessment is incomplete and should be updated to include all criteria.

S117 DIRECTIONS

The planning proposal is consistent with all S117 Directions or they are not applicable except where discussed below:

1.1 Business and Industrial Zones

Council has advised this direction is possibly applicable if a new neighbourhood centre is located within the rezoning area. This direction should be reassessed, if required, once further investigations into land zones which results in a proposed business zone are completed.

1.2 Rural Zones

The planning proposal will amend the draft Wyong LEP 2013 which zones the majority of the land RU6 Transition and is currently 10(a) Investigation Precinct Zone under the Wyong LEP 1991.

The proposal is consistent with the direction as it is in accordance with the NWSSP however given the rural zone and the potential for agricultural activities within the study area, Council should consult with the Department of Primary Industries – Agriculture.

1.3 Mining, Petroleum Production and Extractive Industries

Council has advised this direction is not applicable. However the planning proposal is inconsistent with this direction as it would have the effect of prohibiting the uses (i.e. mining) covered by this direction. Currently mining uses are permitted by the Mining SEPP as they can occur where agriculture is permitted, however agriculture is a prohibited use in the proposed R1 and the E2 zone. The site is also underlain by coal resources identified in the NWSSP. Council should consult with Trade & Investment - Minerals and Petroleum to satisfy the requirements and demonstrate consistency with the direction.

2.1 Environment Protection Zones

Council has advised the proposal is consistent with the direction and proposes to facilitate the protection and conservation of environmentally sensitive areas by zoning them E2. However the proposal will also reduce the environmental protection standards that apply to the land by rezoning E2, E3 and E4 under the draft Wyong LEP 2013 to a residential zone. Consistency with the direction should be reassessed following provision of supporting studies and after agency consultation with the Office of Environment and Heritage.

2.2 Coastal Protection

Part of the site falls within the coastal zone and some parts of the Precinct include SEPP14 coastal wetlands. As further studies, investigation and agency consultation are required, Council should address consistency with the direction once this information is obtained.

2.3 Heritage Conservation

Council has advised studies will be conducted to investigate the presence of heritage items or objects. Consistency with the direction cannot be determined and Council should address the requirements of the direction once additional information and agency consultation on Aboriginal and non Aboriginal heritage matters is complete.

3.1 Residential Zones

Council has advised the proposal is consistent with the direction however zone boundaries are yet to be established and funding arrangements for servicing are yet to be resolved. Council should address the requirements of the direction following provision of additional information on zones and servicing arrangements.

3.4 Integrating Land Use and Transport

Council has advised the proposal is consistent with the direction however further

investigation is required to establish appropriate zones within the site including a potential business zone and further assessment on alternative transport choices is to be undertaken. Council should address the requirements of the direction following provision of traffic and transport investigations.

4.1 Acid Sulfate Soils

The site is affected by Class 2, 3 and 5 acid sulfate soils and Council has stated the proponent will be required to undertake an acid sulfate soil assessment. Council should address the requirements of the direction once information on acid sulfate soils has been obtained.

4.2 Mine Subsidence and Unstable Land

The site is affected by Swansea North Entrance and Swansea North Entrance No 1 Extension mine subsidence districts. As required by the direction, Council is required to consult with the Mine Subsidence Board before addressing consistency with the direction.

4.3 Flood Prone Land

Council has included a map which shows part of the site is affected by flooding and has advised further flood and drainage studies will be required to identify local floodways. Council will need to address the requirements of the direction once additional information on flooding and drainage has been obtained.

4.4 Planning for Bushfire Protection

The site is located on land identified as Bushfire Prone. Council should reassess consideration of the direction once additional information regarding bushfire protection has been obtained and consultation with the NSW Rural Fire Service has occurred.

5.1 Implementation of Regional Strategies

Council has identified the planning proposal as consistent with the CCRS and therefore the direction. Council has used the sustainability criteria for new land release and further investigation/information with regard to bushfire, flooding, and environmental protection is required to be addressed. The proposal is broadly consistent with the direction and any inconsistency identified once further studies are complete can be addressed by seeking the Director General's agreement.

6.2 Reserving Land for Public Purposes

Council states that the planning proposal is consistent with this direction. Council has identified further work is required to determine if there will be a requirement for land reservations for traffic improvements, parks and wildlife corridors. Should Council's further investigations identify land to be zoned or reserved for public purposes as part of this planning proposal then Council would need to seek the Director General's agreement and the agreement of any relevant public authority as per the requirements of this direction.

Environmental social
economic impacts :

Council has advised there a number of studies required to address a range of issues associated with the proposed rezoning. A summary of Council's identified issues are as follows:

ENVIRONMENTAL

Council has advised the site is not declared or partly declared critical habitat. Council has advised further investigation and studies are required in relation to:

- threatened species, population and endangered ecological communities
- wildlife corridors
- biodiversity certification and offsetting
- future ownership of conservation land.
- flooding and stormwater
- bushfire
- noise and vibration
- acid sulfate soils and contaminated land assessment
- mine subsidence

SOCIAL

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Council has advised a number of specialist studies will be undertaken to address social effects and include:

- social impact analysis
- open space and recreation
- visual impact
- street and subdivision layout
- aboriginal and non aboriginal cultural heritage

ECONOMIC

Council has advised of a number of positive economic benefits which include:

- Job creation
- increasing housing choice and affordable housing
- residential land supply
- potential new village centre

INFRASTRUCTURE

Council has identified infrastructure requirements required to service the new development which include:

- water supply
- sewer
- road infrastructure and traffic
- electricity
- telecommunications
- stormwater and drainage
- infrastructure funding.

Council's approach is broadly supported however Council should consider whether all studies are necessary prior to community consultation and rezoning.

Council has identified the area is characterised by large rural holdings and hobby farms. Council should confirm whether further information is required to address potential land use conflicts (eg. odour).

Council has identified it met with the proponents who were made aware of the requirement to fund all infrastructure necessary to service the land. The proponents represent over 80 landowners in the study area and agreement of the funding model of local and state infrastructure requirements to service the development is considered by Council to be critical for the project to proceed.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	18 months	Delegation :	DDG
Public Authority Consultation - 56(2) (d) :	Hunter - Central Rivers Catchment Management Authority Department of Education and Communities Office of Environment and Heritage NSW Department of Primary Industries - Minerals and Petroleum Mine Subsidence Board Transport for NSW NSW Rural Fire Service Transport for NSW - Roads and Maritime Services Other		

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

Council has provided a list of investigations to be undertaken to progress the planning proposal which include:

- 1. Funding agreement (including examination of different funding models) based on the principal of no cost to government.**
- 2. Water and sewer servicing plan.**
- 3. Services Plan**
- 4. Ecological investigations (seasonal flora and fauna surveys)**
- 5. Flood and Drainage Studies**
- 6. Open Space and Recreation Analysis**
- 7. Visual Impact Analysis**
- 8. Social Impact Assessment**
- 9. Preliminary Contaminated Land Study.**
- 10. Acid sulfate soils risk analysis on low lying parts of the site.**
- 11. Noise assessment for main road frontages e.g. Pacific Highway**
- 12. Aboriginal archaeological assessment.**
- 13. Integrated Water Cycle management Strategy.**
- 14. Traffic Report (examination of public transport, pedestrian and cycleway planning issues).**
- 15. Structure plan, Urban Design principles and draft development control plan.**
- 16. Draft VPA and possibly Section 94 Contributions plan (depending on type of infrastructure model adopted).**
- 17. Updated planning proposal and planning controls.**

Council has also advised that a detailed scope of works statements will be prepared following receipt of a Gateway Determination.

Council resolved to advise the applicant the planning proposal will not proceed beyond public exhibition until agreement is reached on the provision of Council and State Government infrastructure to service the new development. It is critical that agreement is reached between the landowners on the funding model as soon as possible to ensure there are no delays in the proposal proceeding to finalisation.

Identify any internal consultations, if required :

Residential Land Release (MDP)

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **The Infrastructure Planning & Coordination Team were asked to provide comment on the Precinct rezoning. No comment has been received as yet. It is recommended that consultation occur with the Infrastructure Planning & Coordination Team should the matter proceed through the Gateway.**

Documents

Document File Name	DocumentType Name	Is Public
Council Covering Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Agency List to Consult.pdf	Proposal	Yes
Council Report 28 August 2013.pdf	Proposal	Yes

East Wadalba Land Release (Precincts 2A, 2B and 3B)

Council Report - Rezone Land at 145 Johns Road Wadalba.pdf	Proposal	Yes
Potential Home Sites Program.pdf	Study	Yes
145 Johns Road Letter.pdf	Study	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 1.1 Business and Industrial Zones
 - 1.2 Rural Zones
 - 1.3 Mining, Petroleum Production and Extractive Industries
 - 2.1 Environment Protection Zones
 - 2.2 Coastal Protection
 - 2.3 Heritage Conservation
 - 2.4 Recreation Vehicle Areas
 - 3.1 Residential Zones
 - 3.2 Caravan Parks and Manufactured Home Estates
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 4.1 Acid Sulfate Soils
 - 4.2 Mine Subsidence and Unstable Land
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes

Additional Information : Council be advised in the Gateway Determination letter to monitor progress and consider the potential for a revised Gateway determination to split the area into two planning proposals (East Wadalba Precinct and 145 Johns Road, Wadalba) should the planning proposal for the entire precinct encounter delays.

It is considered the planning proposal should proceed subject to the following:

1. Council is to be satisfied that sufficient information has been provided to demonstrate that the planning proposal adequately addresses the following issues:

- a. Funding agreement (including examination of different funding models) based on the principal of no cost to government.
- b. Water and sewer servicing plan.
- c. Services Plan
- d. Ecological investigations
- e. Flood and Drainage Studies
- f. Open Space and Recreation Analysis
- g. Visual Impact Analysis
- h. Social Impact Assessment
- i. Preliminary Contaminated Land Study.
- j. Acid sulfate soils risk analysis on low lying parts of the site.
- k. Noise assessment for main road frontages e.g. Pacific Highway
- l. Aboriginal archaeological assessment.
- m. Integrated Water Cycle management Strategy.
- n. Traffic Report including examination of public transport, pedestrian and cycleway planning issues.
- o. Structure plan, Urban Design principles and draft development control plan.
- p. Draft Voluntary Planning Agreements and possibly Section 94 Contributions plan (depending on type of infrastructure model adopted).
- q. Council should confirm whether further information is required for potential land use conflicts (eg. odour) between existing agricultural uses and future development.

2. Council update the 'statement of objectives' to include consideration/investigation of a

potential new centre and business zone at East Wadalba.

3. Council update the 'explanation of provisions' to clarify the residential zone should be R1 General Residential and not R2 Low Density Residential. Council should also clarify the proposal will rezone the land "to" and not "from" the proposed zones.

4. The maps will require updated zone and development standards, once further studies and investigation of boundaries are identified. Council should also include land application, land acquisition and Urban Release Area maps. Council should also update the planning proposal mapping as follows:

a. Council clarify and update Figure 3 SEPP 14 Coastal Wetlands Map showing the study area boundary to be consistent with the other maps which identify the study area.

b. The proposed zone map (Attachment 1(d)) contains a portion of unzoned land within the site boundary adjacent to E2 corridor in the northern part of the site. Council should clarify the proposed zone prior to exhibition.

c. Council include a lot amalgamation map in the planning proposal under the draft Wyong LEP 2013 to ensure the community is aware of the proposed removal of the lot amalgamation provisions.

d. Council should consider the inclusion of a minimum lot size map for the residential zoned land given there is the potential for different lot sizes.

5. Council should consider whether or not the land on the western boundary of the study area is to be included in the planning proposal and update consideration of SEPP No 14—Coastal Wetlands.

6. Council update the planning proposal to include consideration of SEPP No 44—Koala Habitat Protection once information on ecological and biodiversity matters has been obtained.

7. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land and demonstrate the site is suitable for rezoning once information on contamination has been obtained.

8. Council update the planning proposal to include consideration of clause 8 matters in SEPP 71 - Coastal Protection once further studies/investigations are obtained.

9. Council is required to demonstrate consistency with the following S117 Directions after supporting information has been obtained and/or following agency consultation:

1.1 Business and Industrial Zones

1.3 Mining, Petroleum Production and Extractive Industries -Trade & Investment - Minerals and Petroleum;

2.1 Environment Protection Zones - Office of Environment and Heritage;

2.2 Coastal Protection

2.3 Heritage Conservation - Office of Environment and Heritage

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.2 Mine Subsidence and Unstable Land

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection - NSW Rural Fire Service

5.1 Implementation of Regional Strategies

6.2 Reserving Land for Public Purposes

10. Consultation is required with the following public authorities:

- Hunter Central Rivers Catchment Management Authority

- Department of Education and Communities

- Office of Environment and Heritage

- Department of Primary Industries - Agriculture

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- NSW Trade & Investment - Resources and Energy - Minerals and Petroleum
- Mine Subsidence Board
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Services
- Darkinjung Local Aboriginal Land Council
- Guringai Tribal Link
- Department of Planning & Infrastructure - Infrastructure Planning & Coordination Branch

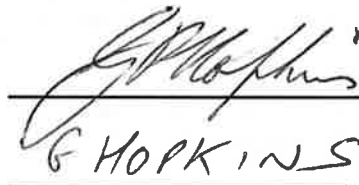
11. The planning proposal must be made publicly available for 28 days.

12. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

13. Council be granted delegation to make the plan.

Supporting Reasons : *

Signature:


G HOPKINS

Printed Name:

Date:

2.12.2013